

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES of AMERICA
ex rel. ELIZABETH H. HUDSON,

Plaintiff-Relator,

v.

**MAIN BUILDING MAINTENANCE,
INC.; JXM, INC.; ROBERT A. XIMENES;
ELVIRA H. XIMENES; and MARGAUX
I. XIMENES,**

Defendants

Civil Action No.:
5-16-CV-00523-JKP-RBF

**JOINT STATUS REPORT AND MOTION TO EXTEND ABATEMENT PENDING
MEDIATION**

Relator Elizabeth H. Hudson (“Relator”) and Defendants Main Building Maintenance, Inc., JXM, Inc., Robert A. Ximenes, Elvira H. Ximenes, and Margaux I. Ximenes (collectively, “Defendants”) hereby jointly file this status report and request to extend the abatement of deadlines pending mediation through July 11, 2022. In support of their motion, the parties respectfully state:

1. On April 11, 2022, this Court issued an Order abating pending deadlines in light of the parties’ agreement to seek mediation. The parties were not able to secure an in-person mediation until June 16, 2022, however, and so the parties sought an extension of the abatement granted by this Court.

2. On May 20, 2022, this Court issued a new order, extending the abatement of deadlines and requiring the parties to file a joint motion within 10 days of June 16, 2022.
3. Although the June 16, 2022 mediation did not result in resolution of this matter, discussions have continued with the parties' mediator, John DeGroote. Mr. DeGroote has expressed the opinion that a short period of follow-up discussions may prove fruitful. Both sides are willing to keep negotiating.
4. The parties would like an additional two weeks to see if they can resolve this matter, but they also believe that incurring additional litigation expenses while discussions are actively underway would hamper the parties' ability to reach a resolution.
5. The parties respectfully request that this Court's orders of April 11, 2022 and May 20, 2022 be amended to require a joint motion from the parties on or before July 11, 2022, by entering the attached Agreed Order of Further Abatement Pending Mediation.

Dated: June 27, 2022

/s/ Michael Tabb
Thomas M. Greene
Mass. BBO# 210020*
tgreene@greenellp.com
Michael Tabb
Mass. BBO# 491310*
matabb@greenellp.com
Ryan P. Morrison
Mass. BBO# 680238*
rmorrison@greenellp.com
Tucker D. Greene

Mass. BBO# 682943*
tucker.greene@greenellp.com
GREENELLP
One Liberty Square, Suite 1200
Boston, MA 02109
(617) 261-0040 (Telephone)
(617) 507-6559 (Facsimile)
**admitted pro hac vice*

Charles S. Siegel
Texas State Bar No. 18341875
siegel@waterskraus.com
Caitlyn E. Silhan
Texas State Bar No. 24072879
csilhan@waterskraus.com
Waters & Kraus, LLP
3219 McKinney Avenue
Dallas, TX 75204
(214) 357-6244 (Telephone)
(214) 871-2263 (Facsimile)
Counsel for Relator

DAVIS & SANTOS, PLLC

By: /s/ Caroline Small
Jason M. Davis
State Bar No. 00793592
Email: jdavis@dslawpc.com
Jay Hulings
State Bar No. 24104573
Email: jhulings@dslawpc.com
Caroline Newman Small
State Bar No. 24056037
Email: csmall@dslawpc.com
719 S. Flores Street
San Antonio, Texas 78204
Tel: (210) 853-5582
Fax: (210) 200-8395
***Counsel for Defendants JXM, Inc. and
Margaux I. Ximenes***

SHAW LAW PLLC

By: /s/ Ronald Shaw

Ronald J. Shaw

State Bar No. 18152300

Email: attorney@shawlawpllc.com

5150 Broadway, Unit 619

San Antonio, Texas 78209

Tel: (210) 227-3737

Fax: (210) 366-0805

***Counsel for Defendants Main Building
Maintenance, Inc., Elvira H. Ximenes,
and Robert A. Ximenes***

CERTIFICATE OF SERVICE

I hereby certify that, on June 27, 2022, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

Dated: June 27, 2022

/s/ Michael Tabb

Michael Tabb